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**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

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*I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on October 3, 2008 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.*

  
Christine Sherwood

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Application Number : 10/799,143	Confirmation No. 7913
Filing Date : March 11, 2004	
Inventor(s) : Biedermann, Lutz	
Title : ANCHORING ELEMENT FOR USE IN SPINE OR BONE SURGERY, METHODS FOR USE AND PRODUCTION THEREOF	
Group Art Unit : 3733	
Examiner Name : Mary C. Hoffman	
Customer No. : 23363	
Docket No. : 56717/B884	Date: October 3, 2008

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**MAIL TO: Mail Stop RCE**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

**1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**

- a.   X   Pending (no review proceedings active)
- (1)   X   An Action was mailed by the Office on April 3, 2008, as to which no appeal under 37 CFR § 1.191 has been filed and
- a response under 37 CFR § 1.116 was mailed on
- via Express Mail
- with certificate of mailing under 37 CFR § 1.8
- X   that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
- (2)        Allowed: the Notice of Allowance was mailed by the Office on
- the Issue Fee has not been paid
- the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on
- b.        Pending (with review proceeding active)

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**Application No. 10/799,143**

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An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

**2. SUBMISSION(S) REQUIRED (check at least one)**

**a. Previously submitted**

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on  
☐ Consider the arguments in the Appeal or Reply Brief previously filed on  
☐ Other:

**b. Enclosed**

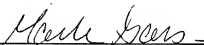
- ☒ Amendment/Reply  
☐ Affidavit(s)/Declaration(s)  
☐ Information Disclosure Statement  
☐ Documents under 37 CFR § 1.48  
☒ Petition for Extension of Time  
☐ Other:

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Mark Garscia  
Reg. No. 31,953  
626/795-9900

MEG/cks

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 10/799,143**

<b>PART I — BASIC FEE</b>			
BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$810.00

<b>PART II — ADDITIONAL CLAIMS (compared to application before RCE)</b>						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	23	*23	0	x \$25.00	0 x \$50.00	-0-
Independent Claims	5	**6	0	x \$105.00	0 x \$210.00	-0-
First Presentation of Multiple Dependent Claim				\$185.00	\$370.00	-0-
<b>TOTAL CLAIMS FEE</b>						-0-
List Independent Claims: 1, 10, 21, 29, 30						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.						
** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*
  - a. Amount (total from Fee Calculation Sheet)  
Please charge our Deposit Account No. 03-1728 for \$810.00.
  - b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

CKS IRV1115207.1-•-10/3/08 6:04 PM